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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0160 – Capital City Storage
L.K.Q.

Z.A.P. DATE: February 7, 2012

ADDRESS: 7900 South Congress Avenue

OWNER: RDO Properties, LLC
(Rob Ormond)

AGENT: Enabler Design Group
(DeVon Wood)

ZONING FROM: DR **TO:** LI

AREA: 31.194 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial services – conditional overlay (LI-CO) combining district zoning. The Conditional Overlay: 1) prohibits basic industry and resource extraction, 2) prohibits access to Dittmar Road, 3) requires a 50-foot wide vegetative buffer and 100-foot wide building setback along the southwest property line (adjacent to the DR zoned parcel), 4) limits building height to a maximum of 45 feet, and 5) limits the development of the property to 2,000 trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

February 7, 2012:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The property is located at the southwest corner of West Dittmar Road and South Congress Avenue, and zoned development reserve (DR). The surrounding area contains a mixture of residential properties, intensive commercial and industrial uses, and undeveloped parcels. Immediately south of the property is a boat storage business, and south of that is a vehicle impound yard. These are zoned CS-CO and LI-CO, respectively. West and southwest of the subject property are residential properties and undeveloped tracts with zoning of SF-4A-CO, SF-2, and DR. The DR zoned property that is immediately adjacent to the subject property to the southwest is currently under City of Austin review for rezoning to townhouse and condominium residence (SF-6) zoning (C14-2011-0141 – Peaceful Hill Condominiums). Immediately west of the property is an NO-CO zoned area that is partially developed with outdoor storage land use. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The southern portion of the property is developed with an automotive salvage yard, and the northern portion that has Dittmar Road frontage is undeveloped and wooded. The salvage yard use has existed on the site since 1979, prior to annexation in 1984 and therefore, is

considered a legal non-conforming use. In January 2010, the property owner cleared several protected trees in the northern portion of the property without a permit, and was issued a citation. Between January 2010 and January 2011, the property owner worked with City staff to develop a tree mitigation plan, amnesty certificate of occupancy, and meet other City requirements.

The property owner would like to continue improving the property and the salvage yard use, including the addition of a security building, restrooms, and a building that houses a fluid management area which includes a crusher slab to separate oil and water and double-walled tanks. The Applicant proposes to rezone the tract to the limited industrial service (LI) district for the auto salvage use, which is a conditional use in this district. A conditional use permit is required if significant expansion of the structure is proposed. No development is proposed to occur on six acres that is closest to Dittmar Road, which contains Boggy Creek and includes the 100-year floodplain.

The Staff recommendation for LI-CO considers that while the present use is legal and non-conforming since it was in existence prior to annexation, the property is over 31 acres in size and therefore, could be redeveloped in the future. The recommended Conditional Overlay would prohibit basic industry and resource extraction uses, establish setbacks to adjacent residential properties, and a 45 foot height limit in an effort to provide greater compatibility with all adjacent land uses. LI-CO zoning would be consistent with the CS-CO zoning of the boat storage facility to the south and the CS-CO / LI-CO zoning granted to the vehicle impound yard further south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Automotive salvage yard
<i>North</i>	RR, MF-2, SF-2	Floodplain, Undeveloped, Residential
<i>South</i>	DR, CS-CO, LI-CO	Undeveloped, Boat Storage, Warehouse, Vehicle Impound Facility
<i>East</i>	CS, GR, SF-2, SF-3	Undeveloped, Cemetery, Church
<i>West</i>	NO-CO, SF-2, DR, SF-3	Undeveloped, Residences, Outdoor Storage

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
627 – Onion Creek Homeowners Association
742 – Austin Independent School District

511 – Austin Neighborhoods Council

786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc. 1340 – Austin Heritage Tree Foundation

SCHOOLS:

Williams Elementary School Bedichek Middle School Crockett High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
South Congress Avenue	114 feet	Varies	Major Arterial, 10,000 vpd	No	Yes	Yes

- Capital Metro bus service (Routes No. 1L and 201) is available along South Congress Avenue.
- South Congress Avenue is classified in the Bicycle Plan as Bike Route No. 47.

RELATED CASES:

The property was annexed into the City limits in November 1984. There are no related cases on the subject property at this time, however, the Applicant intends to pursue a one lot subdivision and a site plan.

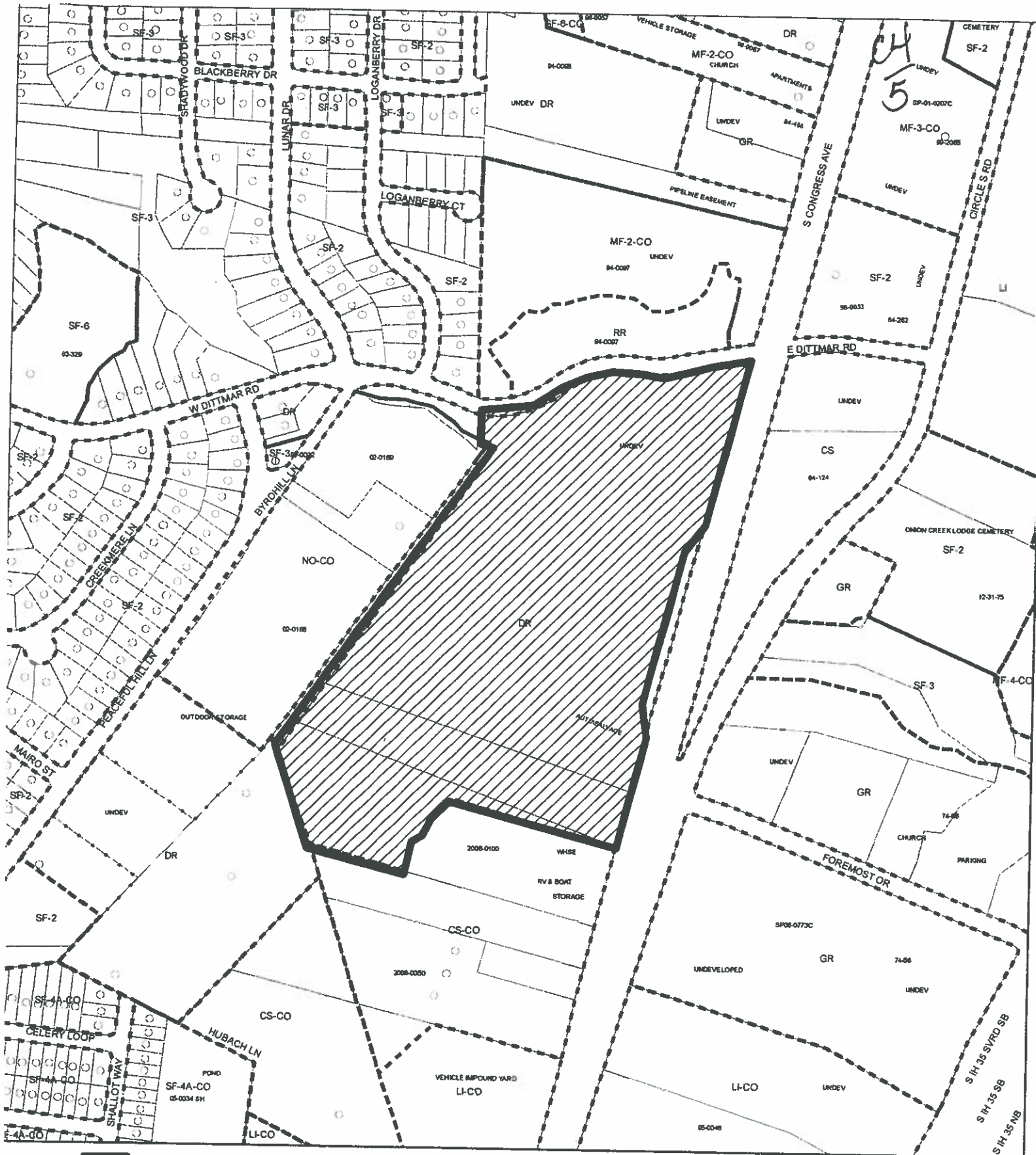
CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0141 – Peaceful Hill Condominiums – 8107 Peaceful Hill Lane; 501 Hubach Lane	DR to SF-6	Scheduled for 2-7-2012	Scheduled for 3-8-2012
C14-2008-0100 – South Congress Storage Rezoning – 8008 S. Congress Ave.	DR to CS	To Grant CS-CO w/CO of 100' bldg. setback, 50' buffer from DR, limit uses, traffic < 2000/day	Approved CS-CO (9-25-2008)
C14-2008-0050 – Clark &	DR; RR-CO; SF-2 to	To Grant CS-CO with the CO for list of prohibited uses being	Approved CS-CO as Commission

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Southside 13 – 8104 and 8200 S. Congress Ave.	CS	auto-related uses including vehicle storage, convenience storage, commercial blood plasma center, adult businesses and pawn shops; 50' landscape buffer, 100' building setback adjacent to DR zoned property & 2,000 trips.	recommended except for removing convenience storage and vehicle storage use from the prohibited use list (6-18-08).
C14-06-0086 – South Side Storage – 8200 S. Congress Ave.	SF-2 to LI	To Grant LI-CO w/CO to prohibit pawn shops and exterminating services	Approved LI-CO (8- 10-2006).
C14-02-0169 – Agape Christian Ministries – 7715 Byrdhill Ln.	DR to NO- CO	To Grant NO-CO w/CO- 20' buffer along Peaceful Hill; 579 trips per day if access is taken to Peaceful Hill, increases to 2,000 if road is widened to 40' pavement	Approved NO-CO (6- 5-2003)
C14-02-0168 Agape Christian Ministries – 7809 Peaceful Hill Ln.	DR to NO- CO	To Grant NO-CO w/ CO- 20'buffer along Peaceful Hill; 579 trips per day if access is taken to Peaceful Hill, increases to 2,000 if road is widened to 40' pavement	Approved NO-CO (6- 5-2003).

CITY COUNCIL DATE: March 8, 2012**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 974-7719



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 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
 ZONING CASE#: C14-2011-0160

Exhibit A



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'



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SP89-0106X(R1)

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BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The LI district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The Staff recommendation considers that while the present use is legal and non-conforming since it was in existence prior to annexation, the property is over 31 acres in size and therefore, could be redeveloped in the future. The recommended Conditional Overlay would prohibit basic industry and resource extraction uses, in an effort to provide greater compatibility with all adjacent land uses. LI-CO zoning would be consistent with the CS-CO zoning of the boat storage facility to the south and the CS-CO / LI-CO zoning granted to the vehicle impound yard further south.

EXISTING CONDITIONS**Site Characteristics**

The southern portion of the property is developed with an automotive salvage yard, and the northern portion is undeveloped and wooded. There is 100-year floodplain on the northern, undeveloped portion of the property.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the South Boggy Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<u>Development Classification</u>	<u>% of Net Site Area</u>	<u>% with Transfers</u>
Single-Family		

(minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone; impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any construction on this site would be subject to compatibility development regulations due to the existing DR zoned property to the southwest, and would be subject to the following requirements:

- The site is subject to compatibility standards. Along the north, east and south property line, the following standards apply:
- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.